

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

WHITE ROSEBAY SHIPPING S.A.	§	
	§	
v.	§	Civil Action No. C-12-096
	§	
HNA GROUP CO., LTD., ET AL.	§	

**ORDER FOR THE ISSUANCE OF PROCESS OF  
MARITIME ATTACHMENT AND GARNISHMENT**

Pursuant to Rule B of the Supplemental Rules for Admiralty or Maritime Claims of the Federal Rules of Civil Procedure, the Court has reviewed the Verified Complaint, an affidavit, and supporting papers asserting a maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure. Based thereon, the Court finds that the conditions set forth in Supplemental Rule B appear to exist.

Accordingly, it is hereby ORDERED that the Clerk of this Court shall issue a process of maritime attachment and garnishment for M/V OSPREY, IMO No. 8616568 and international call sign LAEL7 ("M/V OSPREY");

IT IS FURTHER ORDERED that the United States Marshal for the Southern District of Texas ("United States Marshal") seize and attach the M/V OSPREY and serve a copy of the Verified Complaint, a copy of this Order, and a copy of the Process of Maritime Attachment and Garnishment on the person in possession of the M/V OSPREY or its agents;

IT IS FURTHER ORDERED that the M/V OSPREY seized may continue with cargo operations and provisioning of the vessel seized, including all necessary shifting of berths, vessel repair and improvements, or transfer to lay berths or anchorage under *custodia legis* at the risk and expense of the M/V OSPREY's interest;

IT IS FURTHER ORDERED that the M/V OSPREY seized may be released without

further Order of the Court if the United States Marshal (or any substitute custodian appointed by the Court) receives written authorization from Counsel for Plaintiff that he has conferred with attorneys representing all of the interested parties to the litigation, that written consent is filed by Counsel for Plaintiff, and provided that the Court has not entered an order to the contrary. All of the United States Marshal's costs shall be paid prior to the release of the M/V OSPREY, and all further custodial costs will be paid by Plaintiff;

IT IS FURTHER ORDERED that Plaintiff shall agree to indemnify and hold harmless the United States Marshal for claims or liability arising out of the attachment of the M/V OSPREY;

IT IS FURTHER ORDERED that any person claiming an interest in the property attached or garnished pursuant to this Order shall be entitled, upon application to the Court, to a prompt hearing at which Plaintiff shall be required to show why the attachment and garnishment should not be vacated or any other relief granted; and

FINALLY, IT IS ORDERED that a copy of this Order be attached to and served promptly with the said process of maritime attachment and garnishment.

ORDERED this 29th day of March 2012.

  
BRIAN L. OWSLEY  
UNITED STATES MAGISTRATE JUDGE